

CHAPTER 89-08-04 OPERATING PLAN

Section

89-08-04-01

Operating Plan

89-08-04-01. Operating plan. By the fifteenth of February of each year, the operator of a reservoir with a capacity of more than one thousand acre-feet shall submit an operation plan for that year to the state engineer. The state engineer shall review the operating plan and if deficiencies or discrepancies exist, the state engineer shall notify the owner of the dam of the deficiencies or discrepancies within thirty days of discovering the deficiencies or discrepancies. The owner of the dam shall correct the deficiencies or discrepancies and return the corrected operating plan to the state engineer within fourteen days of receiving notice of the deficiencies or discrepancies. The operation plan must be approved by the state engineer prior to the operation of the dam. If the operator receives no response from the state engineer, the operation plan is approved. The operation plan must contain at a minimum:

1. A reservoir operation procedure;
2. A maintenance procedure for the dam and appurtenant works; and
3. Emergency procedures and warning plans.

History: Effective November 1, 1989.

General Authority: NDCC 28-32-02, 61-03-13

Law Implemented: NDCC 61-03-21